

410 Recd PCT/PTO 17 SEP 2001

FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV 11-98)		ATTORNEY'S DOCKET NUMBER 103-01
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 09/936869
INTERNATIONAL APPLICATION NO. PCT/NZ00/00031	INTERNATIONAL FILING DATE (17.03.2000)	PRIORITY DATE CLAIMED (17.03.1999)
TITLE OF INVENTION PLANTS HAVING MODIFIED REPRODUCTIVE CAPACITY		
APPLICANT(S) FOR DO/EO/US Gopi K. Podila, Jun-Jun Liu, and David F. Karnosky		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31)/.</li> <li>5. <input type="checkbox"/> A copy of the International application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)): <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
Items 11. To 16. below concern document(s) or information included:		
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment</li> <li>14. <input type="checkbox"/> A substitute specification.</li> <li>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>16. <input checked="" type="checkbox"/> Other items or information: Certificate of Mailing by Express Mail</li> </ol>		

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(January 1999)

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
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17. ☒ The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO **\$1000.00**International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO **\$ 860.00**International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO **\$ 710.00**International preliminary examination fee paid to USPTO (37 CFR 1.482)  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) **\$ 690.00**International preliminary examination fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Article 33(1)-(4) **\$ 100.00****ENTER APPROPRIATE BASIC FEE AMOUNT =****CALCULATIONS PTO USE ONLY****\$1000.00**Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☒ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).**\$ 130.00**

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	30 - 20 =	0	X \$18.00	\$ 180.00	
Independent claims	3 - 3 =	0	X \$78.00	\$ 0	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$260.00	\$ 260.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$1570.00</b>	
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$	
<b>SUBTOTAL =</b>				\$	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +				\$	
<b>TOTAL NATIONAL FEE =</b>				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +				\$	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$1570.00</b>	
				Amount to be: refunded	\$
				charged	\$

a. ☒ A check in the amount of **\$1570.00** to cover the above fees is enclosed.b. ☐ Please charge my Deposit Account No. **07-1969** in the amount of \$\_\_\_\_\_ to cover the above fees.c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **07-1969**. A duplicate copy of this sheet is enclosed.**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

GREENLEE, WINNER and SULLIVAN, P.C.  
5370 Manhattan Circle, Suite 201  
Boulder, CO 80303  
Phone: 303-499-8080  
Fax: 303-499-8089

SIGNATURE

Name: Donna M. Ferber  
Registration No.: **33,878**

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b>		Docket No.
Applicant(s): <b>CARTER HOLD HARVEY LIMITED, TASMAN BIOTECHNOLOGY</b>		<b>103-01</b>


Serial No. not assigned	Filing Date 17 September 2001	Examiner not assigned	Group Art Unit not assigned
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Invention: **PLANTS HAVING MODIFIED REPRODUCTIVE CAPACITY**

I hereby certify that this Transmittal Letter to the United States - Concerning a Filing Under 35 U.S.C. 371  
(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, D.C.

20231-0001 on 17 September 2001  
(Date)

Nina Reel  
(Typed or Printed Name of Person Mailing Correspondence)  
  
(Signature of Person Mailing Correspondence)  
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